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ALERT

Deputy loses 6 hours of leave time after confrontation with teen

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A Frederick County Sheriff's Office deputy who confronted a teenager at a Boy Scout event in May will lose six hours of leave time for not having his body camera turned on during the encounter.

Deputy Christian Roush will lose the leave time for a Class A violation of the sheriff's office's general orders for not having his body camera on when he approached the teen while brandishing an AR-15 rifle early on the morning of May 25.

A Trial Board that decides cases of possible discipline for police officers in Frederick County heard Thursday's case.

The hearing was held only to consider two possible violations of the sheriff's office general orders, which dictate procedures and protocols within the department. The encounter was not described in detail as part of the hearing.

The second alleged violation of the general orders was considered during the hearing, but the trial board took no action on that allegation.

Marsha Shaw, the 16-year-old's mother, said she's not sure what her next step will be after Thursday's hearing.

She and many other onlookers filled a conference room at the Frederick County Law Enforcement Center in Frederick to watch a live stream of the hearing, which was held in an upstairs room of the building.

Shaw said she was encouraged by the turnout, even as she said her request to be in the same room as the hearing in person was denied.

"I have never been face to face with that officer," she said.

Neither Sheriff Chuck Jenkins nor Roush responded to requests for comment on Thursday through a sheriff's office spokeswoman. Jenkins did not immediately return a call to his cellphone.

Shaw said the process seems to be designed to protect law enforcement agencies and officers involved in incidents, rather than to promote accountability.

She said she hopes people can understand the pain and trauma that the situation caused.

According to a heavily redacted Use of Force Report prepared by the sheriff's office and obtained by The Frederick News-Post, deputies were involved in a vehicle pursuit around 3:30 a.m. on May 25 along Mussetter Road in Ijamsville when they saw the teenager, who matched a broad description of people they were seeking.

Roush was carrying a department-issued Adams Arms .223 AR-15 rifle, while another deputy was carrying a department-issued Sig Sauer 9mm handgun, according to the report.

The report found that Roush's use of force was "Consistent with Training and Policy" after review by a department supervisor.

After deputies arrived, it was determined that Shaw's son was not involved in the vehicle pursuit, and no charges were filed.

Shaw said the response overlooked the fact that her son and the boys he was with were wearing clothing with Boy Scouts logos, and the description police were using to find possible criminals was very vague.

"It could have been anybody," she said.

Bill Choinski, who attended Thursday's hearing, said he was Shaw's son's merit badge counselor in Cub Scouts. He said the son is a smart, talented boy.

Choinski said he was at the May event, when Scouts helped set up and monitor flags at a church in Ijamsville for a Memorial Day event.

The Scouts camp out overnight, and take shifts patrolling the flag area, he said.

On an overnight shift, the boys were wearing their so-called Class B uniforms, which would have had a T-shirt or sweatshirt with the Boy Scouts logo, he said.

Choinski said his understanding of what happened is that around 4 a.m., the deputies drove their cars onto a lawn area where the Scouts were, and pointed their guns at them.

"It's that initial contact that was the problem," he said.

The Trial Board is part of a new police accountability process adopted in a Maryland law that passed in 2021, requiring multiple boards that review allegations.

Frederick County adopted its Police Accountability Board and Administrative Charging Committee legislation in 2022, the year after the General Assembly passed police reform legislation.

The Administrative Charging Committee reviews police agency investigations into officer misconduct and determines if officers should be administratively charged.

The Trial Board adjudicates matters when a law enforcement officer is subject to discipline and appeals the decision of a police chief or sheriff.

Willie Mahone, head of Frederick County's chapter of the NAACP, who watched the live stream of the hearing, said his group has always had concerns that the Police Accountability Board is geared too much toward protecting police officers from accountability.

But an imperfect system doesn't mean they'll stop advocating for ways to hold police accountable to the community, he said.

Kate Jones, a member of the Administrative Charging Committee, said Thursday's hearing was the first of its kind in the county.

She said she attended to learn more about how the process works.

"There's processes, and you're kind of stuck sometimes," she said.

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